



ATTORNEY'S DOCKET NO.: R0547/7007(ERG/KA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: LIAO, James K.; LAUFS, Ulrich; ENDRES, Matthias; and MOSKOWITZ, Michael A.
Filing Date: March 19, 1999
Serial No.: 09/273,445
For: UPREGULATION OF TYPE III ENDOTHELIAL CELL NITRIC OXIDE SYNTHASE
BY HMG-CoA REDUCTASE INHIBITORS
Examiner: Not Assigned
Art Unit: 1646

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Assistant Commissioner for Patents, Attention: Box IDS, Washington, D.C. 20231, on the 28th day of July 1999.

Signature: Jill R. Clarke
Printed Name: Jill R. Clarke

Assistant Commissioner for Patents
Attention: Box IDS
Washington, D.C. 20231

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AUG 04 1999

TECH CENTER 1600/2900

TRANSMITTAL LETTER

Sir:

Transmitted herewith are the following documents:

- [X] Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 and 1.98;
- [X] Form PTO 1449 ;
- [X] Three Cited References; and
- [X] Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No check is enclosed as it is believed that no filing fee is due. If this is incorrect, the fee may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Edward R. Gates
Edward R. Gates, Reg. No. 31,616
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
Telephone: (617)720-3500

Docket No.: R0547/7007(ERG/KA)
Date: July 28, 1999
xNDD



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INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application but before the mailing date of the first Office Action.

No fee or certification is required.

Information Cited

Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The majority of these references have been previously reported either in the parent or any of the four related applications disclosed herein. Three additional references (A33, A34, A35) were cited in an Official Action issued in the related U.S. Patent Application Serial No. 09/132,849. Copies of these three references are provided herein. The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicants hereby make the following additional information of record in the above-identified application:

Applicants bring to the Examiner's attention the existence of four related applications in addition to previously disclosed related applications in the parent case of the present application:

<u>Serial No.</u>	<u>Filing Date</u>
09/132,848	August 11, 1998
09/132,849	August 11, 1998
09/273,224	March 19, 1999
09/273,223	March 19, 1999

All of the above-identified applications share a common inventor (J.K. Liao) and some related subject matter.

Remarks

A copy of each of the above newly-identified references (A33, A34, A35) is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: Edward R. Gates
Edward R. Gates, Registration No. 31,616
Wolf, Greenfield & Sacks, P.C.
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Boston, MA 02210-2211
Telephone: (617)720-3500

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